

REMARKS

Claims 1, 2, 4, 6 and 9-12 are pending in the present application. Claims 1, 2, 4 and 6 have been amended. Support for the present claim amendments may be found, at least, in Figures 6 and 7 and the previous claims. Claims 3, 5, 7 and 8 have been cancelled. No new matter has been added by way of the above amendments.

Issues under 35 U.S.C. § 112

Claims 6 and 7 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

In the present amendment, claim 6 has been amended to delete material “(4)” and claim 7 has been cancelled. Accordingly, the outstanding rejection of the claims has been rendered moot. Withdrawal of the outstanding rejection is respectfully requested.

Issues under 35 U.S.C. § 102

Claims 1-3 and 5-6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP 07-171189 to Nishino et al. (hereinafter “Nishino”).

Claim 1 has been amended to delete “water” as an absorption aid. Nishino does not teach or suggest the presently claimed invention wherein the absorption aid contains a carbon-dioxide medium selected from the group consisting of (a) alcohols having a high vaporization temperature, (b) oils and fats, and (c) waxes. Accordingly, Nishino does not teach each and every limitation of the present invention as is required to sustain a rejection under 35 U.S.C. § 102(b). Reconsideration and withdrawal of the outstanding rejection is respectfully requested.

Issues under 35 U.S.C. § 103

Claims 4 and 7-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishino and further in view of WO 99/24043, based on the English equivalent-US 6,689,339 to Tanaka et al. (hereinafter "Tanaka").

Claims 7 and 8 have been cancelled herein. Additionally, claim 4 is unobvious for at least the reason noted above in the context of the discussion of the rejection under 35 U.S.C. § 102(b). Finally, the combination of Nishino and Tanaka do not render present claim 4 obvious because claim 4 has been amended to recite that "the carbon dioxide indicator is provided separately from the sealing enclosure member." Neither Nishino nor Tanaka teach or suggest this feature. Accordingly, reconsideration and withdrawal of the outstanding rejection are respectfully requested.

In view of the foregoing, Applicant believes the pending application is in condition for allowance. A Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Monique T. Cole, Reg. No. 60,154 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By 

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